

In the United States Court of Federal Claims

No. 19-1869C

(Filed: February 3, 2020)

JEROME EUGENE TODD,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER FOR DISMISSAL

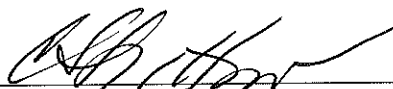
On January 17, 2020, the court issued an order directing plaintiff, Jerome Todd, to pay the filing fee or file an application to proceed *in forma pauperis* by January 30, 2020, or otherwise to show cause why this action should not be dismissed for failure to prosecute under Rule 41(b) of the Rules of the Court of Federal Claims ("RCFC"). See ECF No. 7. In the intervening time, Mr. Todd has neither paid the filing fee nor filed any response to that order.

Previously, the court dismissed a related claim filed by Mr. Todd after he failed to pay the filing fee, finding that he was prevented from proceeding *in forma pauperis* under the "three-strikes bar" of 28 U.S.C. § 1915(g), see *Todd v. United States*, No. 19-1093, ECF No. 12 (Fed. Cl. Oct. 15, 2019), and Mr. Todd did not seek leave to file this related claim.

Therefore, Mr. Todd's claim is DISMISSED without prejudice for failure to prosecute under RCFC 41(b). Accordingly, the government's motion to stay defendant's filing of response, ECF No. 8, is DENIED as moot, and Mr. Todd's pending motion for leave to file a notice of related case, ECF No. 6, is also DENIED.

The clerk shall enter judgment in accord with this disposition.

It is so **ORDERED**.



Charles F. Lettow
Senior Judge